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(to be used for all correspondence after initial filing)

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Total Number of Pages in This Submission

Application Number	10/764,663
Filing Date	1/26/2004
First Named Inventor	Derek H. Bernhart
Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	3348.9

ENCLOSURES (check all that apply)					
Fee Transmittal F	Form	☐ Drawing(s)	After Allowance Communication to Group		
Fee Attached	I	Licensing-related Papers	Appeal Communication to Board of Appeals and Interferences		
Amendment / Rep	ply	Petition	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)		
After Final	,	Petition to Convert to a Provisional Application	Proprietary Information		
Affidavits/dec	claration(s)	Power of Attorney, Revocation Change of Correspondence Address	Status Letter		
Extension of Time	e Request	Terminal Disclaimer	Other Enclosure(s) (please identify below):		
Express Abandonment Request		Request for Refund CD, Number of CD(s)	Form 1449 (1 Page);Two references (347 Pages);Return Postcard.		
Information Disclo	osure Statement				
Certified Copy of Document(s)	Priority	Remarks			
Response to Miss Incomplete Applic					
Response to Missing Parts under 37 CFR 1.52 or 1.53					
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT					
Firm or Individual name William R. McCarthy III Reg. No. 55,788					
Signature William X. The South M.					
Date	Date 8/27/2004				
CERTIFICATE OF TRANSMISSION/MAILING					

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	William R. McCarthy III		
Signature	William M. Matter M.	Date	8/27/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Derek H. Bernhart, et al.

Serial No: 10/764,663

Filing Date: 1/26/2004

Title: System, Method and Computer Software Product for Instrument Control, Data Acquisition, Analysis, Management

and Storage

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Examiner: Unknown

Group Art Unit: Unknown

INFORMATION DISCLOSURE

STATEMENT

Dear Sir:

Pursuant to 37 CFR § 1.56, § 1.97 and § 1.98, the documents listed on the accompanying U.S. Patent & Trademark Office's Modified Form-1449 are called to the attention of the Examiner for consideration in connection with the above-identified patent application. According to MPEP §609 subsection III A(2), Applicants are not required to provide copies of U.S. patent documents for applications filed after June 30, 2003. Thus only copies of the non-US Patent Documents are enclosed herewith.

Citation of these documents shall not be construed as (1) an admission that the documents are necessarily prior art with respect to the instant invention; (2) a representation that a search has been made; or (3) an admission that the information cited herein is, or is considered to be, material to patentability in any way, including that as defined in § 1.56(b).

Applicants believe that <u>no fee is required</u> for submission of this statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Account No. 01-0431 in order to have this Information Disclosure Statement considered.

Dated: August 27, 2004

Respectfully submitted,

Customer No. 22886
Legal Department

Affymetrix, Inc. 3380 Central Expressway Santa Clara, CA 95051

Tel: (781) 280-1522 Fax: (781) 687-9090 William R. McCarthy, III

Reg. No. 55,788

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known				
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First Named Inventor	Derek H. Bernhart			
Art Unit	Unknown			
Examiner Name	Unknown			
Attorney Docket Number	3348.9			

		"	U.S. PATENT (OCUMENTS	
Examiner Cite		Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant	
Initials *	No. ¹	Number - Kind Code ² (if known)	MM-DD-YYYY		Passages or Relevant Figures Appear
	A1	US-2002/0143475 A1	10-03-2002	Nobuyuki Okamura, et al.	
	A2	US- 2003/0073896 A1	04-17-2003	Harry Zuzan, et al.	
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FOREIGN PATENT DOCUMENTS						
Examiner	Cite	Foreign Patent Document	Publication	Name of Patentee or	Pages, Columns, Lines, Where Relevant	
Initials*	No.1	Country Code ³ - Number ⁴ - Kind Code ⁵ (<i>if known</i>)	Date Applicant of Cited MM-DD-YYYY Document	Document	Passages or Relevant Figures Appear	T _€
	B1	WO 02/073504 A1	09-19- 2002	Amy Chen, et al.		
	B2	WO 03/102854 A2	12-11- 2003	Applera Corporation		
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Examiner Signature	Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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